

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO: 17-20595

HON. VICTORIA A. ROBERTS

Mag. Judge: Elizabeth A. Stafford

YOUSEF MOHAMMAD RAMADAN,

Defendant.

/

MOTION TO WITHDRAW

NOW COMES defense counsel, RICHARD D. KORN, and in accordance with Eastern District of Michigan Local Court Rule 57.1(b), respectfully moves this Honorable Court for an Order allowing him to withdraw as counsel for Defendant, YOUSEF MOHAMMAD RAMADAN, and in support of this motion states as follows:

1. Defendant is charged in a superseding indictment with Possession of a Firearm with an Obliterated Serial Number, 18 U.S.C. § 922(k), Possession of a Stolen Firearm, 18 U.S.C. § 922(j), Possession of an Unregistered Silencer, 18 U.S.C. § 5861(d), and Forfeiture Allegations.

2. There has been breakdown in the attorney-client relationship that precludes defense counsel from providing the effective assistance of counsel Defendant is entitled to under the Sixth Amendment to the United States Constitution. Defense counsel cannot set forth further detail in support of this motion without violating the attorney-client privilege.

3. This is a most serious case and it is imperative that Defendant have an attorney with whom he can have an effective working relationship. Defense counsel strongly recommends that this Honorable Court grant this motion and appoint another attorney to represent Defendant.

4. On June 7, 2020 defense counsel inquired as to the Government's concurrence in this motion, and on June 7, 2020 was advised by Assistant United States Attorney Douglas C. Salzenstein that the Government does not concur in this motion.

5. In view of the fact that the trial date in this matter has been adjourned without date because of the Covid-19 pandemic and the closure of the court, the appointment of another attorney in this matter would not unduly delay the trial of this case or unfairly prejudice the government. In fact, if a change in attorneys is going to occur, this would be the ideal time to do it.

WHEREFORE, defense counsel, RICHARD D. KORN, respectfully moves this Honorable Court to allow him to withdraw as counsel for Defendant and to appoint another attorney to represent Defendant.

Dated: 06-08-20

Respectfully submitted,

s/Richard D. Korn
Attorney for Defendant Edwards
645 Griswold, Suite 1717
Detroit, MI 48226
(313) 223-1000
rdkorn@sbcglobal.net
P32958

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**BRIEF IN SUPPORT OF
MOTION TO WITHDRAW**

Richard D. Korn
Attorney for Defendant
645 Griswold, Suite 1717
Detroit, MI 48226
(313) 223-1000
rdkorn@sbcglobal.net
P32958

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CONCISE STATEMENT OF THE ISSUE PRESENTED

ARGUMENT I

**SHOULD THE DISTRICT COURT ALLOW
DEFENSE COUNSEL RICHARD D. KORN TO
WITHDRAW AND APPOINT ANOTHER
ATTORNEY TO REPRESENT DEFENDANT?**

Defendant answers: YES.

The Government answers: NO.

CONTROLLING OR MOST APPROPRIATE AUTHORITY
FOR THE RELIEF SOUGHT

The controlling or most appropriate authority for the relief sought in this motion is:

Eastern District of Michigan Local Court Rule 57.1(b)

Sixth Amendment to the United States Constitution

ARGUMENT I

**THE DISTRICT COURT SHOULD
ALLOW DEFENSE COUNSEL
RICHARD D. KORN TO WITHDRAW
AND APPOINT ANOTHER ATTORNEY
TO REPRESENT DEFENDANT.**

Eastern District of Michigan Local Rule 57.1(b) provides that:

(b) An attorney who has appeared in a criminal case may thereafter withdraw only by written motion served upon the defendant personally or at the defendants last-known address and upon all parties. The Court may deny a motion to withdraw if the attorney's withdrawal would unduly delay trial of the case, or be unfairly prejudicial to any party, or otherwise not be in the interest of justice.

In the case at bar, the trial date has been adjourned without date because of the Covid-19 pandemic and the closure of the court. Therefore, the attorney's withdrawal would not unduly delay the trial of this case or unfairly prejudice the government. In fact, in view of the absence of a trial date and the closure of the court, if a change of attorney is going to occur, this would be the ideal time to effectuate the change. Then when a trial date is set, substitute counsel can have input into what date would work for him or her.

Defendant is guaranteed effective assistance of counsel under the Sixth Amendment to the United States Constitution. As stated in the motion, there has been a breakdown in the attorney-client relationship that would impair defense counsel's

ability to render Defendant effective assistance of counsel. The failure to grant this motion and appoint another attorney to represent Defendant would deny him effective assistance of counsel in contravention of the Sixth Amendment to the United States Constitution.

RELIEF SOUGHT

WHEREFORE, defense counsel, RICHARD D. KORN, respectfully moves this Honorable Court to allow him to withdraw as counsel for Defendant and to appoint another attorney to represent Defendant.

Dated: 06-08-20

Respectfully submitted,

s/Richard D. Korn
Attorney for Defendant Edwards
645 Griswold, Suite 1717
Detroit, MI 48226
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_____ /

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2020, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Douglas C. Salzenstein
Hank Moon
Assistant U.S. Attorneys
211 West Fort Street, Suite 2001
Detroit, MI 48226

and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants:

Dated: 06-08-20

Respectfully submitted,
s/Richard D. Korn
Attorney for Defendant
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Detroit, MI 48226
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